NOV 30 1999

Gwen B. Zervas, P.E.
Case Manager
Bureau of Federal Case Management
New Jersey Department of Environmental Protection
401 East State Street
P. O. Box 028
Trenton, New Jersey 08625

RE: Review of the Hotspot B and Hotspot C Subsurface Investigation, L.E. Carpenter site, Wharton, New Jersey

Dear Ms. Zervas:

The U.S. Environmental Protection Agency (EPA) has reviewed the above referenced document dated October 1999, and is pleased to provide the following comments:

1. The report concludes that approximately 2,000 cubic yards of material may contain lead at various hot spots at concentrations that exceed the 600 mg/kg clean up objective outlined in the Record of Decision (ROD). Page ten, states "Due to the large volume of impacted material, it does not appear reasonable to excavate soils for off-site disposal. The New Jersey Department of Environmental Protection (NJDEP) has previously acknowledged that the levels of lead may be indicative of background concentrations, "and a few sentences later, "Based on the available data, soil capping appears to be the most reasonable option. This information along with a proposed plan for soil capping will be submitted to the NJDEP in the near future." EPA would like to remind the NJDEP that we visited this issue in detail back in 1997. In Carole Petersen's August 15, 1997 letter to Bruce Venner, and her subsequent letter of October 24, 1997, EPA stated "with respect to the evaluation of an on-site capping remedy, please note that as the 1994 ROD did not evaluate either the risk or feasibility of an alternative involving a cap, the potential responsible party (PRP) would have to develop a feasibility analysis of any proposed capping alternative in accordance with EPA guidance. Such an alternative would need to be evaluated using the nine criteria established in the guidance and would also include an evaluation of risk, volume of waste soils and costs for the new alternative compared to those outlined in the ROD. In addition, the PRP's proposal should evaluate the feasibility of several cap types to determine the most suitable cap for the site, especially considering potential effects of flooding from the adjacent Rockaway River."

Moreover, with respect to determining whether lead may be indicative of background concentrations, Carole Petersen's October 24, 1997 letter to Bruce Venner, stated "that a thorough off-site background investigation should be conducted involving more than the two or three samples suggested in your letter. In our experience, such studies typically require between twenty to thirty background samples. Please have the PRP refer to the following two EPA publications which refer to standard EPA policy regarding data usability and risk assessment: "Guidance for Data Usability in Risk Assessment (Part A), April 1992;" and, "Risk Assessment Guidance for Superfund Volume 1, Human Health Evaluation Manual (Part A), December 1989." In addition, it may prove to be beneficial for the background study to include either isotopic analyses or lead speciation analysis for a certain number of off-site and on-site samples. This will help to establish a fingerprint for lead associated with mines located in the area versus lead that is site related. Further, the PRP report, "Lead in Soils Compilation, L.E. Carpenter and Company, Wharton, New Jersey" which cited historical mining as the most likely source of lead did not provide map locations of known abandoned mines with respect to the site, or provide references for verification. In addition, no mention was made as to whether supporting historical lot, block and other tax data are available, as well. This information should be submitted for review."

As I am sure you are aware, the estimated 2,000 cubic yards of material is not a particularly "large volume of impacted material," and to date, the Potentially Responsible Party has not submitted either the requested data or a report that specifically addresses the above criteria.

2. The approved work plan for this study indicated that soils would be tested for TCLP. The report states that TCLP analyses were deemed "not appropriate at this time. Testing is deferred until after remedial options are considered." As you are aware, excavation and removal have already been selected as the remedial option for hot spots. As stated above, a convincing argument for changing the remedy has not been made, and therefore the selected remedy should proceed. In order to proceed, TCLP analyses are needed and should be conducted.

3. Although soils volumes are given in the report, the full extent of contamination still remains undelineated. In several cases, samples with high levels of contamination are at the periphery of the sampling area, both horizontally and vertically. Moreover, there is no accompanying figure or calculations to illustrate which soils areas are included in the volumes that were proposed. Given this lack of delineation, two possible ways for most efficiently proceed to the remedial action phase are as follows. First, complete the delineation, which requires an additional round of sampling to define the limits of

contamination, both horizontally and vertically. Second, proceed directly to remedial action, and add something like 50% to existing volume estimates, based on the fact that additional soils will clearly need to be removed. In either case, the actual extent of the soils removed will be based on post excavation sampling.

4. Although the text states that samples were collected at depths of 2.5 and 5 feet below ground surface, this is clearly not the case. This should be accurately reflected in the text and the reasons for work plan modification should be discussed.

Should you have any questions or comments, please feel free to call me at (212) 637-4411. Thank you for the opportunity to review and comment on this document.

Yours, truly,

Stephen Cipot, Remedial Project Manager
Southern New Jersey Remediation Section

bcc: Kimberly O'Connell, SNJRS
Andy Crossland, PSB
Stephen Cipot, SNJRS